

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SHATEQUA LEGUETTE, individually and
on behalf of all others similarly situated,

Plaintiff,

– against –

SCHWAN'S COMPANY, SCHWAN'S
FOOD SERVICE INC., SCHWAN'S
CONSUMER BRANDS, INC., SFC
GLOBAL SUPPLY CHAIN, INC.,

Defendants.

ORDER

17-CV-07599

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **MAY 24 2018** ★

BROOKLYN OFFICE

JACK B. WEINSTEIN, Senior District Judge:

Defendant's motion to dismiss is converted to a motion for summary judgment. Either party may submit summary judgment motions by June 27, 2018. The parties shall submit a laboratory report or other evidence on the question of whether, and how much, butter, artificial sweeteners, dyes, flavors, or any other ingredients, are used in Mrs. Smith's Original Flaky Crust Pies.

An evidentiary hearing on the parties motions for summary judgment shall be held on July 12, 2018, at 10:30 A.M. At the hearing defendants shall produce a Mrs. Smith's Original Flaky Crust Pie with a package or label displaying all ingredients. The percentage and amount of each ingredient shall be furnished by defendants.

SO ORDERED


Jack B. Weinstein

Senior United States District Judge

Dated: May 23, 2018
Brooklyn, New York

